

EXHIBIT 1

Sheila J. Porter

05/18/2005

1

Volume: I

Pages: 1-248

Exhibits: 1-5

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

NO. 04-11935-DPW

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Sheila J. Porter,

Plaintiff,

v.

Andrea Cabral, Suffolk County

Sheriff's Department Suffolk County,

and Correctional Medical Services, Inc.,

Defendants.

----- x

DEPOSITION OF SHEILA J. PORTER

wednesday, May 18, 2005

10:10 a.m.

ADLER, COHEN, HARVEY, WAKEMAN & GUEKGUEZIAN

230 Congress Street

Boston, Massachusetts 02110

Reporter: Lori-Ann London, RPR

Volume: II

Pages: 249-462

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CONTINUED DEPOSITION OF SHEILA J. PORTER

Thursday, May 26, 2005

9:05 a.m.

ADLER, COHEN, HARVEY, WAKEMAN & GUEKGUEZIAN

230 Congress Street

Boston, Massachusetts 02110

Reporter: Lori-Ann London, RPR

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3 Q Did the Suffolk County Sheriff's
4 Department pay your salary?

5 A No.

6 Q who maintained your personnel file, to
7 your knowledge, while you were employed by
8 Correctional Medical Services from January of 2001
9 through June of 2003?

10 A Correctional Medical Services.

11 Q where was it located, the personnel
12 file?

13 A The exact location?

14 Q Yes.

15 A In a file cabinet in the administrative
16 assistant's office.

17 Q And the administrative assistant was
18 employed by whom?

19 A CMS.

20 Q what was her name?

21 A Sandra Sousa.

22 Q I'm sorry?

23 A Sandra Sousa.

24 Q You indicated earlier that Donna Jurdak

1 the infirmary at the Suffolk County -- at the
2 Suffolk County House of Correction --

3 A Yes.

4 Q -- for CMS?

5 A Yes.

6 Q And it's fair to say that Dr. Singletary
7 was in charge of the medical piece of care
8 provided to inmates incarcerated at the Suffolk
9 County House of Correction?

10 A Yes.

11 Q were you evaluated in terms of your job
12 performance while you were employed by CMS from
13 January of 2001 to June of 2003?

14 A Yes.

15 Q who conducted those evaluations?

16 A Dr. Singletary.

17 Q Any other employee of CMS involved in
18 the evaluation process for you during that time
19 period?

20 A I don't think so.

21 Q Was Donna Jurdak involved?

22 A I'm not sure.

23 Q Okay. Did you ever speak with Donna
24 Jurdak concerning your evaluations?

1 A Yes.

2 Q And what was the -- what was that about?

3 A "It's time to get your evaluation done."

4 Q Did any member of the Suffolk County
5 Sheriff's Department participate in your
6 evaluation?

7 A No.

8 Q What was the process of evaluation like?

9 A It was a form with questions to be
10 answered and goals to be set.

11 Q Who provided you with the form, what
12 entity?

13 A CMS.

14 Q Did you fill out the form?

15 A I didn't, the physician did.

16 Q Dr. Singletary?

17 A Yes.

18 Q Was the form filled out in consultation
19 with you or by him alone?

20 A By him with review by me later.

21 Q So after the evaluation form was
22 completed, you would have an opportunity to
23 discuss the results of that evaluation with him?

24 A Yes.

1 Q And what were the evaluation forms used
2 for by CMS?

3 A As a tool for deciding pay increases, as
4 a tool for determining any weaknesses that might
5 show up in someone's performance and with goals
6 for corrective measures.

7 Q Did anyone from the Suffolk County
8 Sheriff's Department have any input into your
9 salary or pay increase?

10 A No.

11 Q Did anybody from the Suffolk County
12 Sheriff's Department have any input in terms of
13 your goals or corrective behavior?

14 A No.

15 Q What's the Employee Success Guide?

16 A It's the booklet handed out -- there was
17 a booklet handed out when CMS took over as the
18 provider of medical care, and I believe there was
19 an update handed out while I was at the facility.

20 Q When you say CMS took over as the
21 provider for healthcare, when they assumed the
22 contract --

23 THE STENOGRAPHER: Wait a minute.
24 Can you start again?

1 A Subjective, Objective, Assessment and
2 Plan.

3 Q And what does that mean?

4 A Subjective is what we were told,
5 Objective is what we can see, Assessment is what
6 do you think happened, and Plan is what are you
7 going to do about it.

8 Q Did you receive training in
9 documentation and the utilization of the SOAP
10 format?

11 A Yes.

12 Q And what kind of training was that,
13 Mrs. Porter?

14 A That was ongoing from -- from the
15 nursing program on; that's the documentation that
16 I've used.

17 Q Standard in the industry?

18 A Yes.

19 Q You indicated a few moments ago that you
20 received some training documents from the Suffolk
21 County Sheriff's Department. Did you receive any
22 training from the Suffolk County Sheriff's
23 Department?

24 A Yes.

1 Q What kind of training, in what areas?

2 A Actually, report writing --

3 Q Okay.

4 A -- security, I believe during our
5 orientation CPR was provided for an update at that
6 same time.

7 Q Other than report writing --

8 MR. SAVAGE: I'm not sure --

9 Q -- security --

10 MR. SAVAGE: -- she was done.

11 Were you done or were you still
12 thinking?

13 THE WITNESS: I was thinking, but...

14 Q I'm sorry. Keep thinking.

15 A As I said, we had a large packet of
16 information each time. Some general rules and
17 regulations, a tour of the building, how all of
18 the access cards worked. I think that's it.

19 Q Okay. Did you receive any training from
20 the Suffolk County Sheriff's Department on
21 assessment protocols, nursing assessment
22 protocols?

23 A No.

24 Q Did you receive any training from the

1 Suffolk County Sheriff's Department regarding how
2 you administer chronic care?

3 A No.

4 Q Did you receive any training from the
5 Suffolk County Sheriff's Department regarding how
6 you administrator sick calls?

7 A In a way, yes, when -- when they could
8 be done, where they could be done, who could come.

9 Q Well, let me narrow the question a
10 little bit. Did you receive any training in terms
11 of how you diagnose an inmate's ailments?

12 A No.

13 Q Did you receive any training concerning
14 how to conduct a physical examination --

15 A No.

16 Q -- on an inmate?

17 A No.

18 Q Did you receive any training regarding
19 how you appropriately triage sick calls from the
20 Suffolk County Sheriff's Department?

21 A Again, partially, yes. Because of
22 security issues, some of the triaging requires
23 that the security is met prior to -- how do I
24 explain this? Can I give you a for instance?

1 Q Sure.

2 A If there was a person who had a rope
3 around their neck, and we would not be able to go
4 in, triage, and decide what to do until all
5 security measures had been taken to ensure that we
6 wouldn't -- that our safety was -- that we would
7 be safe going in there; that it wasn't a -- a
8 bogus claim. So, yes, some triage required that
9 security measures come first.

10 Q would you make routine -- would you make
11 sick calls on units?

12 A No.

13 Q How were sick calls done on units?

14 A The nurses received paperwork that was
15 an inmate request for medical attention.

16 Q And once that paperwork was received,
17 what did the nursing staff do with it?

18 A The protocol is to triage it, read it,
19 and be sure it isn't an immediate problem, and the
20 person would be scheduled to be seen by a nurse,
21 by a mid-level provider, or by the physician.

22 Q In those instances when there is a
23 determination made as to which provider should see
24 the inmate and triaging them, what input did the

1 Suffolk County Sheriff's Department have in that
2 process?

3 A None.

4 Q You indicated that you received some
5 training in report writing?

6 A Yes.

7 Q From the Suffolk County Sheriff's
8 Department?

9 A Yes.

10 Q In security-related concerns?

11 A Yes.

12 Q And you may have received some training
13 in updated CPR?

14 A Um-hm. Yes.

15 Q Any other training?

16 MR. SAVAGE: In addition to the
17 other things she told you?

18 Q Yes.

19 A I was trained there on -- on more than
20 one occasion. It was at least a day long each
21 time, and I'm really not sure.

22 Q Okay.

23 A It was nine years worth of training.

24 Q Were you required to comply with any

1 Q Okay. who makes the decision if an
2 inmate has to go to the hospital, who makes that
3 determination?

4 A The provider working with the person.

5 Q Does the Suffolk County Sheriff's
6 Department have any input on whether or not an
7 inmate is sent to the hospital from a medical
8 standpoint?

9 A No.

10 Q Other than a medical standpoint, what's
11 that input?

12 A How the person is going to get there,
13 the medical reason.

14 Q When you say the medical reason, what do
15 you mean?

16 A It's usually a determination -- they try
17 to make a determination whether or not it's a
18 bogus trip.

19 Q Who makes the assessment or the
20 diagnosis of the injuries or the --

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23 A Sometimes. There would be someone above
24 me, unless it's -- unless it's a life or death

1 emergency, someone else would make the final
2 decision. I would make the recommendation.

3 Q In making those recommendations, who
4 would you consult with?

5 A The medical director, and if he wasn't
6 available, whoever was on call.

7 Q would you ever consult in making those
8 medical decisions with a member of the Suffolk
9 County Sheriff's Department?

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12 indicated or required?

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15 ever made with input from the Suffolk County
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17 A Occasionally.

18 Q Under what circumstances?

19 A Drug abuse.

20 Q What do you mean?

21 A Where it's believed that the inmate has
22 taken illegal substances while in the facility.
23 Sexual attacks.

24 Q Under those circumstances with -- when

1 there's a belief that an inmate may have ingested
2 a narcotic or a controlled substance within the
3 facility, how does the Suffolk County Sheriff's
4 Department make a determination as to whether or
5 not a diagnostic test is indicated?

6 A There are certain tests that we didn't
7 do, they did.

8 Q Those are urine tests?

9 A Yes.

10 Q Random urines?

11 A Yes.

12 Q I'm talking about nursing decisions,
13 medical care decisions, within the facility. Who
14 makes the decision as to what kinds of diagnostic
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19 with a specialist, who makes those determinations?

20 A The provider.

21 Q A few moments ago we spoke briefly about
22 documentation and the SOAP protocol.

23 A Yes.

24 Q Where are encounters with inmates

1 that you were providing information to the F.B.I.?

2 A Dr. Singletary -- specific instances,
3 perhaps not ongoing, specific instances -- so I
4 think Donna Jurdak was back by that time.

5 Q what did Dr. Singletary know?

6 MR. SAVAGE: I'm sorry, did you
7 complete your answer as to everybody that knew
8 through the end of 2000?

9 A CHS. Yes, I believe so.

10 Q what did Dr. Singletary know?

11 A That I was providing information in a
12 specific instance.

13 Q And what was that?

14 A I -- I couldn't tell you which one it
15 is. I don't know which one was when.

16 Q well --

17 A There were many. Many.

18 Q 1999 to 2000 --

19 A Many.

20 Q -- during that time period -- let's step
21 back a second.

22 Did you notify anybody at the
23 Suffolk County Sheriff's Department in the latter
24 part of 1999 through the calendar year of 2000

1 that the F.B.I. wanted you to provide them with
2 information?

3 A Officially, no.

4 Q What does that mean, officially, no?

5 A I did tell someone unofficially that the
6 F.B.I. had contacted me.

7 Q Whom did you tell unofficially that the
8 F.B.I. --

9 A Steve Jacobs.

10 Q -- had contacted you?

11 MR. SAVAGE: Let her finish her
12 question.

13 A Sorry.

14 Q Whom did you tell unofficially that the
15 F.B.I. had contacted you?

16 A Steve Jacobs.

17 Q When did you tell Steve Jacobs that
18 unofficially?

19 A He was interviewing me about a report I
20 had made.

21 Q And what report was that?

22 A I don't remember.

23 Q Well, what were the circumstances
24 surrounding your communicating to Steve Jacobs of

1 the Sheriff's Investigation Division that you were
2 providing information to the F.B.I.?

3 A I don't remember which specific thing.
4 I reported a lot of things to the Sheriff's over
5 nine years. Steve and I spoke frequently. I
6 accompanied him to court frequently. On one of
7 those occasions, I commented to him unofficially
8 that they had called, and that they were looking
9 for information. I can't be more specific than
10 that because I don't remember if it was more
11 specific than that. It was an informal comment
12 that I made during one of these encounters with
13 Steve.

14 Q Did he ask you more questions about it?

15 A No.

16 Q Did you tell him that you were providing
17 information on an ongoing basis to the F.B.I.?

18 A No.

19 Q Did you tell him that it was on a
20 particular matter that you were providing
21 information?

22 A No.

23 Q You told him that the F.B.I. had
24 contacted you?

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1 A Yes.

2 Q what did you tell him about what that
3 contact was about?

4 A Just that they were looking for
5 information.

6 Q So you didn't communicate to him that
7 this was one of a number of contacts that you were
8 getting on a regular basis from the F.B.I.?

9 A I think it was at the beginning. I
10 don't think it was after a number; I think it was
11 early on.

12 Q Did you indicate to him -- did you tell
13 Steve Jacobs that you had agreed to provide
14 information to the F.B.I. on an ongoing basis?

15 A No.

16 Q Who was the next person that you told
17 from the Suffolk County Sheriff's Department that
18 you were providing information to the F.B.I.,
19 whether informally or formally?

20 A Paul DeFazio.

21 Q When was that?

22 A 2002.

23 Q And what were the circumstances
24 surrounding that communication with Paul DeFazio?

1 A Yes.

2 Q And the context of this -- of my
3 questions to you was whom within the department
4 did you notify in 2001 to -- well, strike that.

5 I believe you testified that
6 sometime in the latter part of 1999 through 2000
7 you may have notified Steve Jacobs that on a
8 particular occasion the F.B.I. had contacted you?

9 A Yes.

10 Q Is that a fair characterization of your
11 testimony?

12 A Yes.

13 Q You did not, however, inform Mr. Jacobs
14 that you were in an ongoing relationship with the
15 F.B.I. providing them information on an ongoing
16 basis?

17 A I don't believe I did.

18 Q Other than Mr. Jacobs, whom within the
19 Suffolk County Sheriff's Department did you notify
20 that you were providing information to the F.B.I.
21 on an ongoing basis?

22 A The next person -- well, the person that
23 knew it was Paul DeFazio, and that was in 2002.

24 Q Okay. And how did Mr. DeFazio know that

1 Q What did you tell Gayle Bartley?

2 A I told her that he had told me he wasn't
3 hearing voices; that there were some other issues
4 going on; and that there were some physical issues
5 going on; and that that was not the whole story,
6 so...

7 Q You told her there were some physical
8 issues going on?

9 A Yes.

10 Q That's your testimony today?

11 A I'm not exactly sure how I expressed it.

12 Q Um-hm.

13 A I told Gayle that he was down there;
14 that he wasn't hearing voices; that he told the
15 officer he was hearing voices but he was not
16 hearing voices; or that he told me that later on.
17 That he came down because he -- he said he had
18 been -- I don't know if I said he was assaulted,
19 but he had some other issues on the unit, and he
20 came downstairs to get out of that unit, to get
21 downstairs. And I told her that he needed an
22 examination, so...

23 Q What kind of examination did you tell
24 her that he needed?

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1 to -- to go to someone other than SID.

2 Q Now, earlier today you testified that
3 you regularly reported allegations of physical
4 abuse of inmates by officers to SID?

5 A Correct.

6 Q From 1999 through -- strike that.

7 From 1994, right --

8 A Correct.

9 Q -- through 2003?

10 A Yes.

11 Q why on this occasion did you not want
12 the information communicated to SID -- strike
13 that.

14 why on this occasion did you not
15 want to go directly to SID?

16 A Because of the previous history that I
17 had with Rene, what I knew, and my involvement
18 with him and with the F.B.I.

19 Q Explain why that -- why you decided not
20 to go to SID because of that.

21 A When Rene had left, was transferred the
22 time before when he was -- in November, between
23 that time and the time that he came back, I had
24 been working with the F.B.I.; I knew that Rene was

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1 still involved; I was unsure of what else was
2 going on because I had had the conversation with
3 Paul DeFazio, who was angry with the F.B.I.; and I
4 just had some reservations; I wanted to go to
5 somebody the next level up.

6 Q Well, Paul DeFazio wasn't in SID at this
7 time, correct?

8 A Correct.

9 Q Okay. And I thought you testified
10 earlier that you weren't aware until that morning
11 of May 19th that Mr. Rosario may still be working
12 with the F.B.I.?

13 A Correct.

14 Q And you gleaned that in your minute
15 conversation with him?

16 A Yes.

17 Q Okay. Well, what other reasons -- why
18 would that have prevented you from going to SID?

19 A I was concerned for Rene because he was
20 back again. I didn't -- my feeling was that he
21 shouldn't have been back again. I was very
22 concerned for him, and I was just concerned about
23 the whole issue of my working with Rene and the
24 F.B.I., and there were people in SID that knew

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1 that I both worked with the F.B.I. and with Rene,
2 and here he was back again and there were some
3 complaints again, and I just wanted to go one
4 level higher.

5 Q Who were the people that were still in
6 SID that knew about your involvement in November
7 of 2002 that would have prevented you from going
8 down to SID to report the alleged abuse?

9 A I thought Steve knew about it, I'm not
10 sure if he did or not, and although Paul wasn't in
11 SID specifically, he certainly knew, and he was
12 making his disappointment known to me.

13 Q And why would that have -- why did that
14 militate for you against reporting to SID?

15 A I was concerned for the health and
16 safety of Rene and myself.

17 Q And what concerns did you have about
18 yourself?

19 A I wanted to report this and make sure
20 that the information was there without going
21 through SID and without having to explain the
22 things again because of the -- the wiring and
23 things like that. I didn't want to get back into
24 that.

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1 Q Well, this is a serious allegation,
2 correct?

3 A Yes.

4 Q It's always a serious allegation when an
5 inmate accuses an officer of physical abuse,
6 correct?

7 A It is.

8 Q And those are investigations that the
9 department has taken seriously, correct?

10 A Correct.

11 Q And they investigate them, correct?

12 A Yes.

13 Q In fact, you've had numerous encounters
14 with -- strike that.

15 You've had numerous occasions in
16 which you have provided information to SID
17 concerning allegations of physical abuse by
18 officers on inmates, right?

19 A Yes.

20 Q And they have come to you looking for
21 information when they have been investigating
22 allegations of physical abuse of inmates by
23 officers, correct?

24 A Correct.

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1 A In the health service unit.

2 Q what did you say to her; what did she
3 say to you?

4 A I told her that Rene had come down on
5 MOA because he said he was hearing voices, but
6 then when I saw him in the back, he said he wasn't
7 hearing voices; he came down because he was
8 reporting that he had been assaulted by an
9 officer, and that he waited -- I told her the
10 story that Rene told me; that he waited for the
11 officer that he said injured him to leave the unit
12 for lunch; and then he said he was hearing voices
13 so that he could get down to the -- to the health
14 service unit to see someone; and that when I
15 talked to him, he didn't appear to be having a
16 problem with his mental illness at that time; that
17 he said he wasn't hearing voices, but he came down
18 for the other reason; that he said he had been
19 assaulted and he was afraid.

20 Q Anything else?

21 A That Rene was back and I didn't
22 understand why he was back, and that I wanted to
23 re -- I wanted to report it; that I needed to
24 report it; and that I wanted to -- that I wasn't

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1 Q okay. well, have you used that term
2 before?

3 A I have no idea.

4 Q Mrs. Porter, when did you -- when did
5 you call the F.B.I. regarding the information that
6 Rene Rosario had provided to you?

7 A Probably on the 19th.

8 Q when you say probably, could it have
9 been the 20th?

10 A I think I made the phone call on the
11 19th, but I didn't talk to anyone.

12 Q when did you talk to someone regarding
13 the allegations that Mr. Rosario had made to you?

14 A I think the 20th.

15 Q And whom did you speak with?

16 A Krista.

17 Q Krista Snyder?

18 A Um-hm.

19 Q How did you contact them?

20 A Phone.

21 Q what did you tell them?

22 A what Rene told me.

23 Q Had you already completed the document
24 that's been identified as Exhibit No. 5?

1 with me, this looked like they didn't know why I
2 was fired. That was some other reason not having
3 anything to do with the Sheriff's Department.

4 Q What persons did you speak with about
5 this press statement?

6 A The people that talked to me in my
7 family, my friends, people that saw the interview.

8 Q Well, what did they say to you?

9 A They were upset.

10 Q Well, what did they say to you about
11 what they interpreted that statement to mean?

12 A Precisely as if they didn't know.

13 Q And that's the reason why you allege
14 that that portion of that statement is defamatory?

15 A Yes.

16 Q Turning to paragraph No. 2, what
17 statements within paragraph No. 2 do you contend
18 are defamatory?

19 A Clearly biassed and has her own agenda
20 for speaking out at this time.

21 Q What does that sentence mean to you,
22 "She is clearly biassed and has her own agenda for
23 speaking out at this time"?

24 A Clearly biassed how? I can -- I can

1 tell you that some people that heard the report
2 felt that there was a racial issue.

3 Q which people?

4 A Family members, friends.

5 Q who are they?

6 A My children, my husband, friends that
7 live in my town, people that happened to see this
8 that know me and not anything else about anything.

9 Q So who are the friends that saw this and
10 drew the conclusion that it implied some sort of
11 racial bias?

12 A One of my closest friends, whose name is
13 another Donna, Donna Moore, Donna Desjardins now.

14 Q what did she say to you?

15 A "what was that all about?"

16 Q what in that statement led those people
17 to conclude that it implied a racial bias?

18 A That was -- that was just how the
19 statement struck them.

20 Q How many people did it strike that you
21 spoke with that that statement implied a racial
22 bias?

23 A Four or five specifically.

24 Q when you read that statement, did it

1 strike you as implying that you had a racial bias?

2 A I didn't think of it.

3 Q When did you think of it, if you thought
4 of it at all?

5 A When I heard other people's comments.

6 Q And when you heard other people's
7 comments, what did that make you think about the
8 statement?

9 A It made me think, I hope that wasn't the
10 truth.

11 Q Do you think that's what it implies?

12 A I don't know.

13 Q Other than "clearly biassed," what else
14 in that sentence do you allege is defamatory?

15 A My own agenda for speaking out at this
16 time. I had no agenda for speaking out at that
17 time, except that someone called me and asked for
18 my story.

19 Q Did you feel that your reputation had
20 been damaged?

21 A Yes.

22 Q Did you hope to accomplish by speaking
23 to the Globe and to Channel 5 that you would
24 restore your reputation that you felt had been

EXHIBIT 2

Volume: 1
Pages: 1 - 225
Exhibits: See Index

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

C.A. No. 04-11935-DPW

SHEILA PORTER,)
Plaintiff,)
v.)
ANDREA CABRAL, SUFFOLK COUNTY SHERIFF'S)
DEPARTMENT, SUFFOLK COUNTY, and)
CORRECTIONAL MEDICAL SERVICES, INC., INC.,)
Defendants.)

DEPOSITION OF **DONNA L. JURDAK**, a Witness
called on behalf of the Defendants, taken
pursuant to the applicable provisions of the
Massachusetts Rules of Civil Procedure, before
Maureen Nashawaty, a Notary Public within and for
the Commonwealth of Massachusetts, held at the
Suffolk County Sheriff's Department, 200 Nashua
Street, Boston, MA, on Monday, June 20, 2005,
commencing at 10:50 a.m.

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DISK ENCLOSED

1 facility.

2 Q. What do you mean you sensed her
3 urgency?

4 A. I just sensed that I needed to tell
5 someone right away.

6 Q. What did Mrs. Porter tell you that made
7 you feel like this was urgent and that you needed
8 to tell someone right away?

9 A. That he shouldn't have been at the
10 facility, that he was at risk for being harmed.

11 Q. Other than he shouldn't be at the
12 facility and was at risk for being harmed, what
13 specifically did she tell you about allegations
14 that he was making concerning physical abuse?

15 A. I don't recall.

16 Q. Do you recall her telling you at all
17 that she had observed injuries on this inmate and
18 that he was alleging that he had been physically
19 assaulted by an officer?

20 A. There were two different instances and
21 I can't be clear about which one and which
22 time -- if it was all in one. You know, I can't
23 tell you. I can't remember.

24 Q. When you say there were two different

EXHIBIT 3

VOL: II
PAGES: 202-397
EXHIBITS: 8-12

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

* * * * *
SHEILA J. PORTER, *
Plaintiff *
-vs- * Civil Action
ANDREA CABRAL; SUFFOLK COUNTY * No. 04-11935-DPW
SHERIFF'S DEPARTMENT; SUFFOLK *
COUNTY and CORRECTIONAL MEDICAL *
SERVICES, INC., *
Defendants *
* * * * *

CONFIDENTIAL PURSUANT TO THE PROTECTIVE ORDER

CONTINUED DEPOSITION OF ANDREA CABRAL, ESQUIRE,
a witness called on behalf of the Plaintiff, in the
above-captioned matter, said deposition being
taken pursuant to the Federal Rules of
Civil Procedure, before Patricia M.
McLaughlin, a Certified Shorthand Reporter and
Notary Public in and for the Commonwealth of
Massachusetts, at the offices of Goodwin Procter
LLP, Exchange Place, Boston, Massachusetts, on
Friday, June 24, 2005, commencing at 10:10 a.m.

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1 upon them to proceed with matters in
2 litigation. They tried the case. We
3 appealed, because clearly, we didn't agree
4 with the jury's verdict. And the U.S. Court
5 of Appeals has spoken.

6 Q Did you indicate at one point that you were
7 going to adopt the Stern Commission Report as
8 a blueprint for how you were going to handle
9 issues in the Sheriff's Department?

10 A Use it as a blueprint, yes.

11 Q Is it fair to say that one of the issues
12 flagged by the Stern Commission Report is the
13 existence of an atmosphere where people who
14 reported wrongdoing were harassed?

15 A People who reported wrongdoing feared
16 retaliation.

17 Q Did you not view the Baron case as a
18 circumstance where at least that was being
19 alleged by Mr. Baron?

20 A I viewed it as a circumstance where it was
21 being alleged.

22 Q Did you, in light of you using the Stern
23 Commission Report as a blueprint to deal with
24 those allegations, make some special effort